

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SHIRLEY ANN BUTLER,

Plaintiff,

v.

CITY OF DALLAS,

Defendants.

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Civil Action No. 3:07-CV-643-M (BH)


Pretrial Management

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, & RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, & Recommendation of the United States Magistrate Judge on the Court's *sua sponte* dismissal, without prejudice, of Plaintiff's claim for failure to file a valid return of service pursuant to FED.R.CIV.P. 4(m). No objections were filed but Plaintiff seeks leave to amend, with no proof of valid service. The District Court reviewed the proposed Findings, Conclusions, & Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions, & Recommendation of the United States Magistrate Judge.

Plaintiff's *Complaint*, filed April 13, 2007, is **DISMISSED** without prejudice. The Motion for Leave to Amend is **DENIED** as moot. The Amended Complaint filed on September 7, 2007 is **DISMISSED WITHOUT PREJUDICE**, due to Plaintiff's failure to comply with the Court's directive. If Plaintiff wishes to complain of recent events that occurred at the courthouse, Plaintiff must file a new action.

SIGNED this 15th day of October, 2007.



BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS